

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

*Plaintiffs,*

v.

GREGORY W. ABBOTT, *et al.*,

*Defendants.*

HARRIS COUNTY REPUBLICAN PARTY, *et al.*,

*Intervenor-Defendants.*

Lead Case No: 5:21-cv-844-XR  
[Lead Case]

**[PROPOSED] ORDER ADOPTING THE PRIVATE PLAINTIFFS' PROPOSED SCOPE  
OF THE PHASE I TRIAL**

The Court has asked the parties to submit an advisory indicating whether they “intend to proceed with trial on all claims or merely the Phase I claims.” ECF No. 700 at 2. Having considered the parties’ proposals on the scope of the Phase I trial, and all other relevant materials, the Court **ADOPTS** the proposal submitted by the Private Plaintiffs. Specifically, Plaintiffs shall be permitted to proceed on all claims during the Phase I trial, with the trial record to remain open with respect to Plaintiffs’ intentional discrimination claims pending resolution of *LUPE v. Bettencourt*, No. 23-50201 (5th Cir.). Plaintiffs’ remaining claims will be ripe for resolution upon completion of the Phase I trial (or upon resolution of the fully briefed and pending motions for summary judgment, which may be resolved before, during, or after the Phase I trial). The parties shall be permitted to introduce evidence relating to all claims during Phase I of the trial and the Phase II trial shall be limited to evidence that could be informed by or derived from the outcome of the *Bettencourt* appeal.

SO ORDERED and SIGNED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

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Hon. Xavier Rodriguez  
UNITED STATES DISTRICT JUDGE